

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1005 of 2014

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1. Awadhesh Paswan Son of Dhuri Paswan resident of village/P.O.-
Samnahua, P.S.- Harnaut, Distt.- Nalanda

.... Petitioner/s

Versus

1. Punam Kumari @ Punam Devi Wife of Awadhesh Paswan & daughter
of Anandi Paswan resident of village/P.O.- Samnahua, P.S.- Harnaut, Distt.-
Nalanda, At Present residing at village-Salempur, P.S.- Sohsarai, Distt.-
Nalanda
2. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sidhendra Narayan Singh

For the Respondent/s : Mr. S.Dayal(App)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

4 16-02-2017 By the impugned order, dated 05.09.2012,

passed by learned Principal Judge, Family Court, Nalanda,
at Biharsharif, in Case No. 63(M) of 2011, the petitioner
has been directed to pay monthly maintenance allowance
at the rate of Rs. 3,000/- for maintenance of Opposite
Party No. 1, who is, admittedly, the wife of the petitioner.

The petitioner has asserted that the said order
is ex-parte and, therefore, the order requires interference
in criminal revisional jurisdiction.

I have perused the impugned order, from which
it appears that the petitioner had entered appearance
through learned Counsel by way of vakalatnama. He was



asked to file his written statement, which he did not do.

Secondly, learned Court below has considered the capacity of the petitioner to pay monthly maintenance allowance at the said rate after having found him negligent in maintaining Opposite Party No. 1.

The amount which has been allowed by the learned Court below cannot be said to be excessive in the facts and circumstances.

This application has no merit, which is accordingly dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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